

IN RE: PETITION FOR RESIDENTIAL VARIANCE\* BEFORE THE  
3842 Slater Avenue, 510.5' SE of  
the c/l of Belair Road • DEPUTY ZONING COMMISSIONER  
(4217 Slater Avenue) • OF BALTIMORE COUNTY  
11th Election District  
5th Councilmanic District • Case No. 92-370-A  
Terry L. Foy, et ux  
Petitioners

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a petition for Residential Variance in which the Petitioners request relief from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (16-foot Monark bass fishing boat on a trailer) to be located in the front yard in lieu of the required rear yard, or side yard at least 8 feet from the lateral projection of the front foundation wall of a dwelling, in accordance with the site plan submitted and marked Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (B)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 302.1 of the B.C.Z.R. Furthermore, strict compliance with the

B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of April, 1992 that the Petition for Residential Variance requesting relief from Section 415.A.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a recreational vehicle (16-foot Monark bass fishing boat on a trailer) to be located in the front yard in lieu of the required rear yard, or side yard at least 8 feet from the lateral projection of the front foundation wall of a dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The variance granted herein is limited to the existing 16-foot Monark bass fishing boat. In the event Petitioners desire to store a larger boat in the subject location, the Petitioners will be required to file a new Petition to determine the appropriateness of same.
- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order in the event it becomes necessary to do so as a result of a complaint.

TMK:bjjs

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

Baltimore County Government  
Office of Zoning Administration  
Office of Planning & Zoning

Suite 113 Concourse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-1386

April 29, 1992

Mr. & Mrs. Terry L. Foy  
4217 Slater Avenue  
Baltimore, Maryland 21236

RE: PETITION FOR RESIDENTIAL VARIANCE  
SW/S Slater Avenue, 510.5' SE of the c/l of Belair Road  
(4217 Slater Avenue)  
11th Election District - 5th Councilmanic District  
Terry L. Foy, et ux - Petitioners  
Case No. 92-370-A

Dear Mr. & Mrs. Foy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Residential Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Backhouse at 887-1391.

Very truly yours,

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjjs

cc: People's Counsel

File

#### PETITION FOR ADMINISTRATIVE VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property located in Baltimore County and which is described in the Attachment and plat attached hereto and made a part hereof, petition for a Variance from Section 415.A.1 to allow a recreational vehicle (boat & trailer) to be located in the front yard in lieu of the required rear yard, or side yard at least 8 feet from the lateral projection of the front foundation wall.

of the Zoning Regulations of Baltimore County for the following reason: (custom housing or special utility)

The width and grade of the property prohibits access to the side and rear of the dwelling.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

I/we agree to pay expenses of the above posting and, if necessary, advertising, upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/we do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser:

(Type or print name)

(Signature)

Address

City State Zip Code

Attorney for Petitioner:

(Type or print name)

(Signature)

Address

City State Zip Code

Home, address and phone number of owner, landlord, purchaser or representative to be contacted.

Legal Owner(s):

(Type or print name)

(Signature)

Address

City State Zip Code

(Signature)

Address

City State Zip Code

Home, address and phone number of owner, landlord, purchaser or representative to be contacted.

Address

City State Zip Code

A PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 22<sup>nd</sup> day of April, 1992, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation in Baltimore County, and that the property be reposted.

ORDER RE:

Date

By

RECEIVED BY

ESTIMATED POSTING DATE

ESTIMATED CLOSING DATE



ZONING COMMISSIONER OF BALTIMORE COUNTY

ITEM # 389

#### AFFIDAVIT IN SUPPORT OF ADMINISTRATIVE VARIANCE

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:  
That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/so presently reside at 4217 Slater Avenue  
City Baltimore MD Zip Code 21236

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

The width and grade of the property prohibits access to the side and rear of the dwelling.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reporting and advertising fee and may be required to provide additional information.

Terry Lee Foy  
Susan Lee Foy  
STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:  
I HEREBY CERTIFY, this 20<sup>th</sup> day of March, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared  
Terry Lee Foy & Susan Lee Foy  
My Commission Expires: March 5, 1994

#### ZONING DESCRIPTION FOR 4217 SLATER AVENUE

Beginning at a point on the south side of Slater Avenue, which is sixty (60) feet wide at the distance of Five Hundred Thirty (530) feet southeast of the centerline of the nearest improved intersecting street, Belair Road, which is seventy (70)\* feet wide. Being Lot #2, Block H, Section #1 in the subdivision of Halffield Manor as recorded in Baltimore County Plat Book # 32, Folio # 82 containing .103 acres. Also known as 4217 Slater Avenue and located in the 11th Election District.

\* Measurement is according to S.H.A. Plat #51883.

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11 Date of Posting: 4/1/92  
Posted for: Variance  
Petitioner: Terry Lee Foy & Susan Lee Foy  
Location of property: SW/S Slater Ave., etc. SE Belair Rd.  
Location of Sign: 4217 Slater Ave.  
Location of Sign: Terry Lee Foy, et ux, Petitioners  
Remarks: [Signature]  
Posted by: [Signature] Date of return: 4/1/92  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

Date

Account: R-001-6150

Number

119-0003897

PRINTER'S NAME

DATE

TIME

BY

REMARKS

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REMARKS

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Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this  
4th day of April, 1992.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*W. Carl Richards Jr.*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Terry Lee Foy, et al  
Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: April 15, 1992  
TO: Arnold Jablon, Director  
Zoning Administration & Development Management  
FROM: Ervin McDaniel, Chief  
Development Review Section  
Office of Planning and Zoning  
SUBJECT: PETITIONS FROM ZONING  
ADVISORY COMMITTEE - APRIL 6, 1992

The Office of Planning and Zoning has no comments on the  
following petitions:

Joseph M. Lewis	-	Item No. 383
Anthony S. Rinaldi	-	Item No. 384
George Schiaffino	-	Item No. 386
Robert H. Wiedefeld	-	Item No. 387
Joseph A. Cooper	-	Item No. 388
Terry Lee Foy	-	Item No. 389
Elliott Weinstein	-	Item No. 390
Ronald W. Chapman	-	Item No. 394

If there should be any further questions or if this office can  
provide additional information, please contact Francis Morsey in the  
Office of Planning and Zoning at 887-3211.

jm  
PETITNS3.ZON

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: April 8, 1992

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
FROM: Rahee J. Famili  
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: April 6, 1992

This office has no comments for item numbers 383, 384, 387, 388,  
389, 390 and 394.

*Rahee J. Famili*  
Rahee J. Famili  
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

April 15, 1992

TO: Arnold Jablon, Director  
Zoning Administration and Development Management  
FROM: DIVISION OF GROUND WATER MANAGEMENT  
SUBJECT: Zoning Comments

The agenda for the zoning advisory committee meeting of April 6, 1992  
has been reviewed by the Department of the Environmental Protection and  
Resource Management staff.

There is no comment for the following item numbers:

383
384
386
387
389
390

SSF:rmp

NO\_CMNT/GWRMP

RECEIVED  
APR 14 1992  
ZONING OFFICE

RECEIVED  
APR 21 1992  
ZONING OFFICE

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5501

(410) 887-4500

APRIL 3, 1992

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: TERRY LEE FOY AND SUSAN LEE FOY  
Location: #4217 SLATER AVENUE  
Item No.: \*389(JJS) Zoning Agenda: APRIL 6, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by  
this Bureau and the comments below are applicable and required to be  
corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Foy* Noted and  
Planning Group Approved  
Special Inspection Division Fire Prevention Bureau

JP/KEK

BALTIMORE COUNTY, MARYLAND  
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management  
FROM: Robert W. Bowling, P.E., Chief  
Developers Engineering Division  
SUBJECT: Zoning Advisory Committee

Date: April 10, 1992

The Developer's Engineering Division has reviewed the items on the  
agenda distributed on April 6, 1992. We have no comment on items numbered  
349, 383, 384, 386, 387, 388, 389, 390 and 394.

RWB:DAK:pab  
cc: File

ZONADVIS/PB\_MEMO4

Baltimore County Government  
Office of Zoning Administration  
and Development Management  
Office of Planning & Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

April 2, 1992

(410) 887-3353

Terry Lee and Susan Lee Foy  
4217 Slater Avenue  
Baltimore, Maryland 21236

Re: CASE NUMBER: 92-370-A  
LOCATION: SW/4 Slater Avenue, 510.5' SE of c/l Belair Road  
4217 Slater Avenue  
11th Election District - 5th Councilmanic

Dear Petitioner(s):

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case  
number. Any contact made with this office should reference the case number. This letter also serves as a  
refresher regarding the administrative process.

1) Your property will be posted on or before April 12, 1992. The closing date is April 27, 1992. The  
closing date is the deadline for a neighbor to file a formal request for a public hearing. After the closing  
date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. At that time, an Order will  
issue. This Order may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the  
matter be set in for a public hearing. You will receive written notification as to whether or not your  
petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the  
Commissioner), the property will be reported and notice of the hearing will appear in two local newspapers.  
Charges related to the reporting and advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after  
the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE  
PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW AND  
THE DECISION MAKING PROCESS. WHEN THE ORDER IS READY IT WILL BE  
FORWARDED TO YOU VIA FIRST CLASS MAIL. ORDERS ARE NOT AVAILABLE FOR  
DISTRIBUTION PRIOR TO BEING MAILED TO YOU.

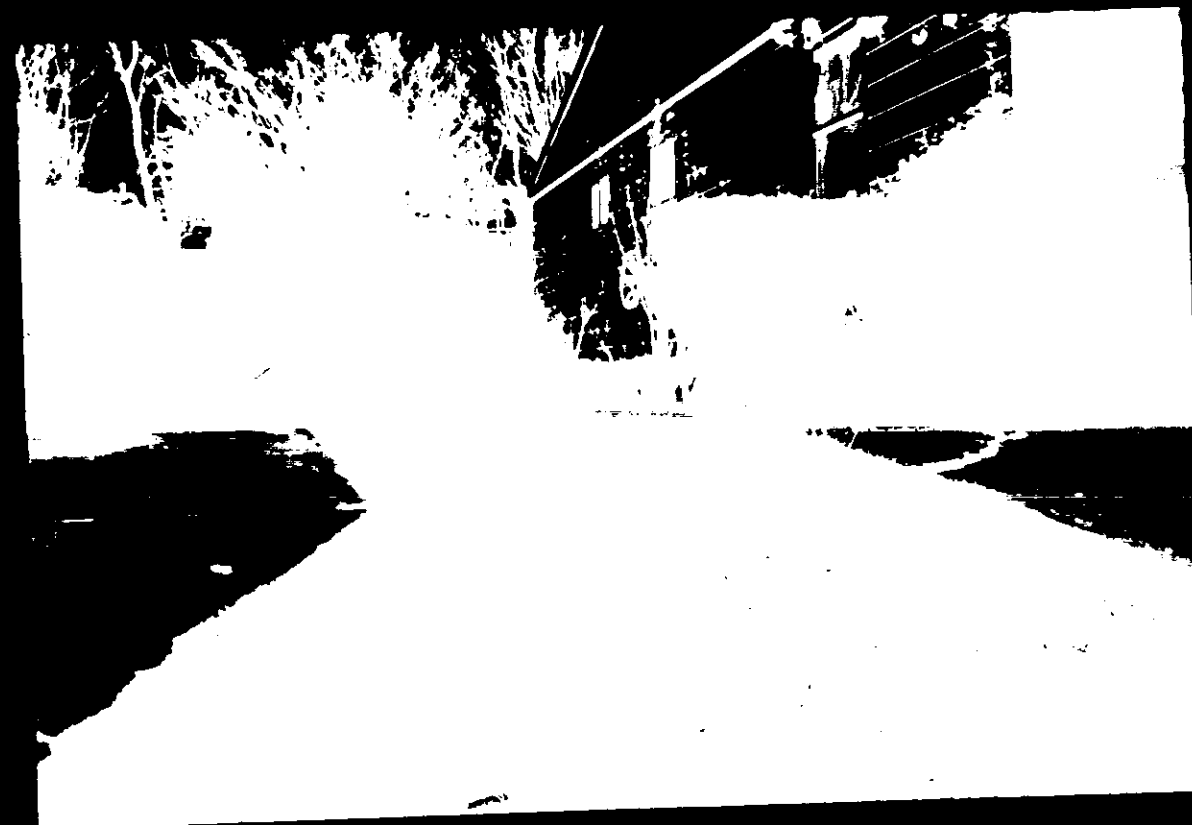
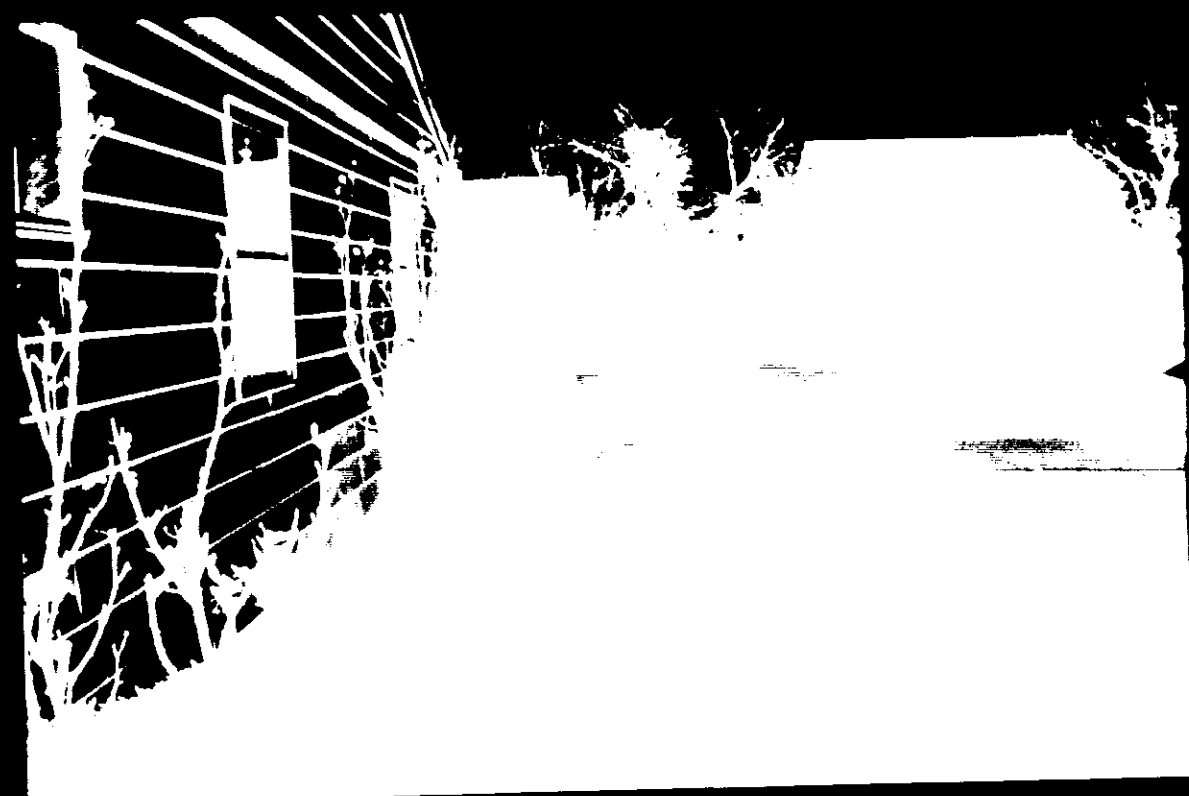
*Lawrence E. Schmidt*  
Lawrence E. Schmidt  
Zoning Commissioner, Baltimore County

92-370-A



92-370-A

92-370-A



416 35/P3

**Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing**

PROPERTY ADDRESS: 4217 SLATER AVE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HALLFIELD MANOR

plat books 35, folios 83, lot # 2, section # H

OWNER: TERRY L. & SUSAN L. FOY

**92-370-A**

SLATER AVE  
90' PAVING  
(60' R/W)

S 47° 10' 27" E  
39'

4' PLANTER (CONC.)  
4' C.W.

4' PLANTER  
4' C.W.

CONC DRIVE  
20'

CONC DRIVE  
20'

CONC DRIVE  
20'

ONE-STORY BRICK & FRAME DWELLING  
#4215

ONE-STORY BRICK & FRAME DWELLING  
#4217

ONE-STORY BRICK & FRAME DWELLING  
#4219

CONC PATIO  
8'

CONC PATIO  
8'

CONC PATIO  
8'

CHAIN LINK FENCE

TOE OF SLOPE

TOE OF SLOPE

TOE OF SLOPE

North

date: 3/21/92

prepared by: T.L.F.

Scale of Drawing: 1" = 20'

**LOCATION INFORMATION**

Councilmanic District: 5

Election District: 11

1"=200' scale map#: NE 9-F

Zoning: D.R. 5.5

Lot size: .103 acreage 4485 square feet

SEWER: ☒ public ☐ private

WATER: ☒ public ☐ private

Chesapeake Bay Critical Area: ☐ yes ☒ no

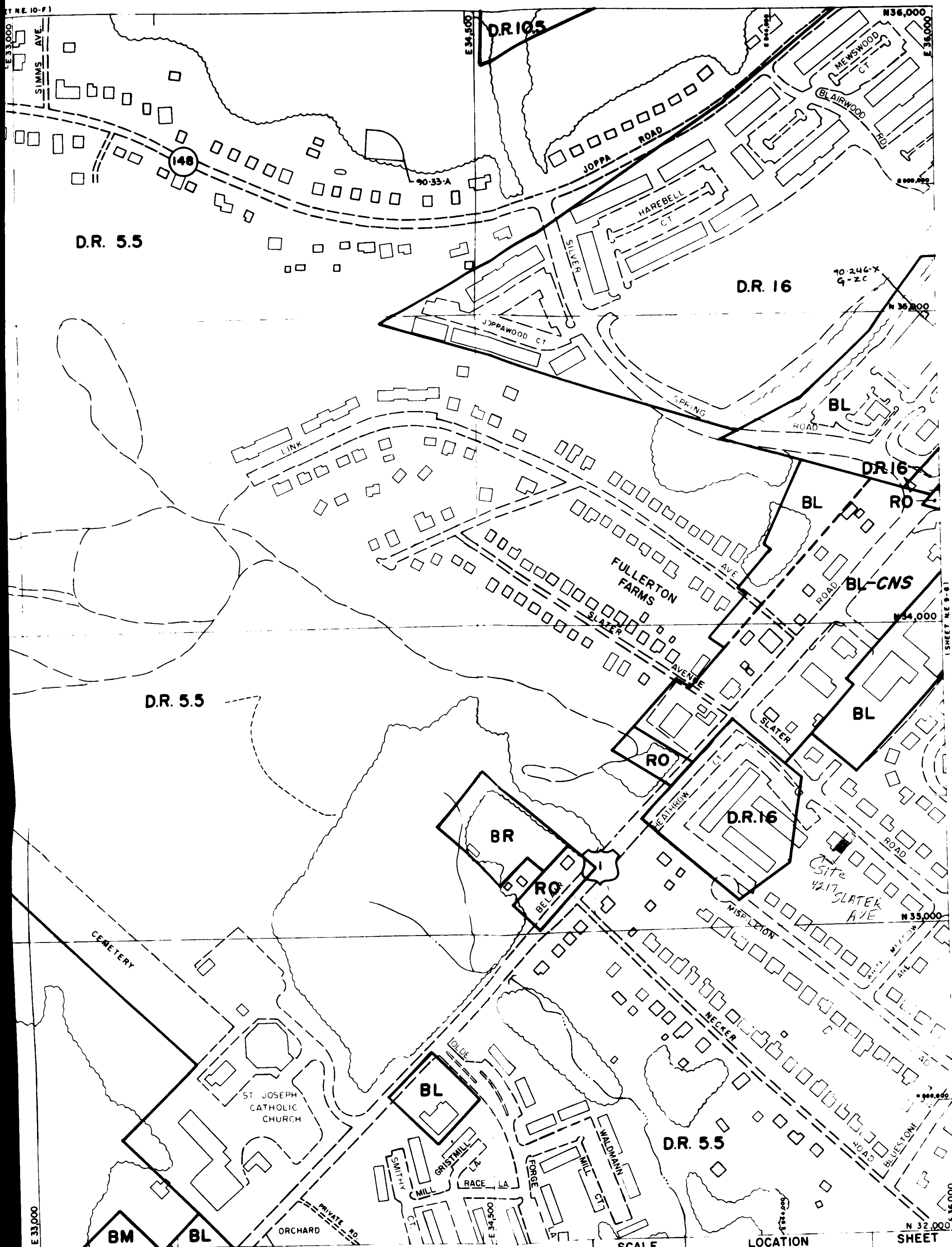
Prior Zoning Hearings: None

**Zoning Office USE ONLY!**

reviewed by: [Signature] ITEM #: 389 CASE#:

*PETITIONER'S EXHIBIT 1*



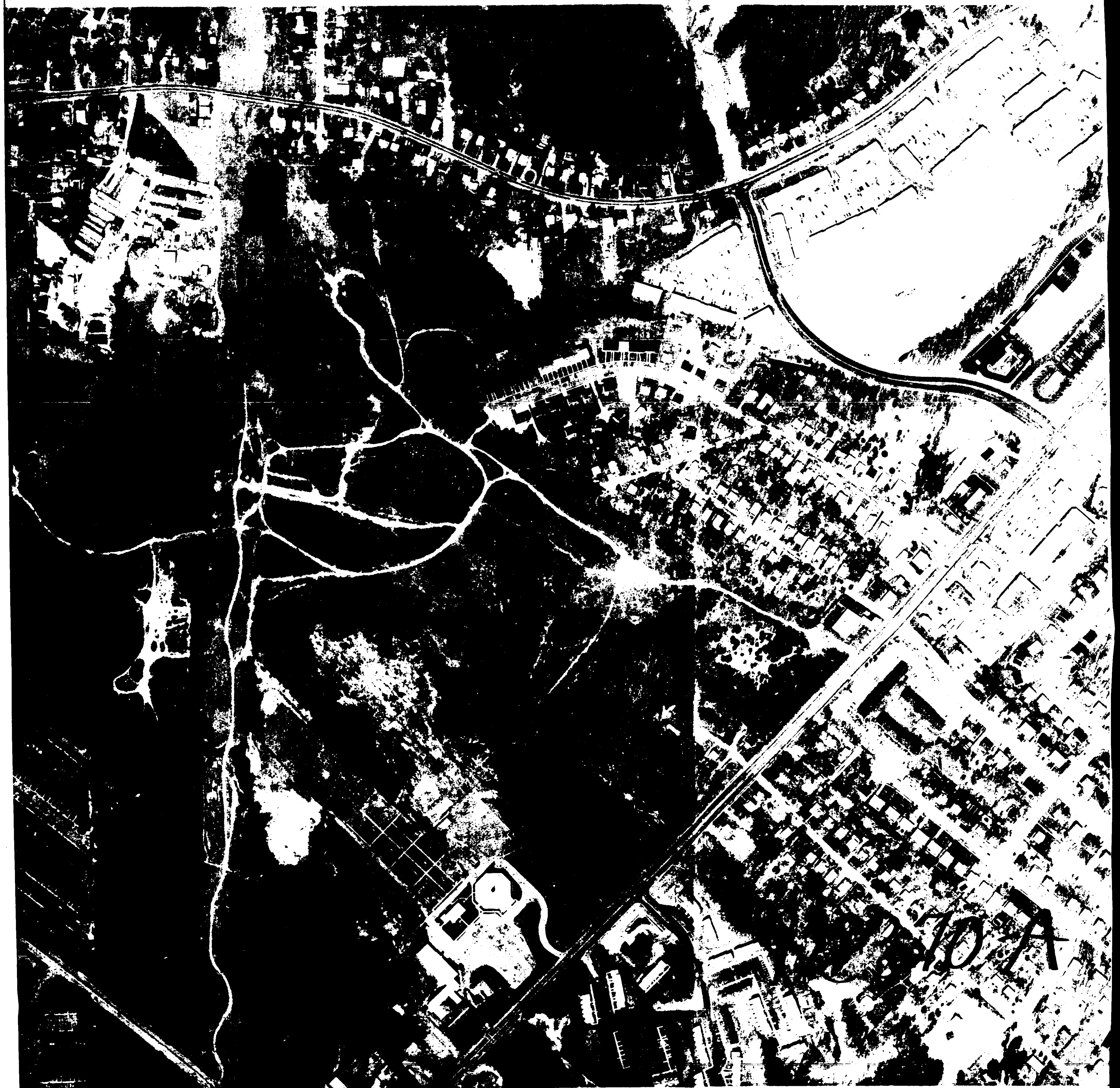


BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
ZONING MAP

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
PERRY HALL  
# 370-A  
N.E.  
9-F

# 389



BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±  
DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
PERRY HALL

SHEET  
N.E.  
9-F

# 389